

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks.	Rulemaking 93-04-003 (Filed April 7, 1993)
Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks.	Investigation 93-04-002 (Filed April 7, 1993)  <b>(Verizon UNE Phase)</b>

**ADMINISTRATIVE LAW JUDGE'S RULING  
CONTAINING EIGHTH SCHEDULE REVISION**

Since my ruling of May 20, 2004, parties have requested three further schedule revisions in this proceeding, the permanent phase of the "Verizon Unbundled Network Element (UNE) Phase" of Rulemaking 93-04-003/ Investigation 93-04-002 (OANAD proceeding). By electronic mail on June 14, 2004, I granted the unopposed motion of AT&T Communications of California, Inc. (AT&T) and MCI, Inc. (collectively "Joint Commentors") to extend the date for reply comments from June 21, 2004 to July 2, 2004. By electronic mail on June 23, 2004, I granted the joint request of AT&T and Verizon California (Verizon) for a three-week extension of the reply comment date to July 23, 2004.

In a July 8, 2004 letter to me, AT&T requested a further extension for reply comments to August 13, 2004. According to AT&T, Verizon admitted to an error in its cost study that requires further analysis by Joint Commentors. Verizon opposed this request, stating that Joint Commentors can amend their filings in

the time allotted without an extension. The Utility Reform Network supports AT&T's extension request.

I will grant a two-week extension, less than the three weeks requested by AT&T. The schedule for comments on price floor issues, which is phased to occur six weeks after comments on cost studies, is delayed accordingly. I am persuaded that all parties would benefit from further time to amend their filings to incorporate discussion of admitted modeling errors and potential fixes to them. While the schedule has been delayed several times for this same reason, this will be the last schedule delay for this purpose. If any further errors are found to the cost model filings in this proceeding, they can be discussed through supplemental rounds of filings, if necessary, rather than delaying the primary schedule for reply and rebuttal comments.

The new schedule for this case is as follows:

November 3, 2003	Filing of cost studies/models, explained and supported through Opening Comments, witness declarations, workpapers, supporting materials, and electronic versions of cost models.
January 13-15, 2004	Technical Workshop on cost studies/models.
April 2, 2004	Amended cost study and opening comments filed by Verizon.
August 6, 2004	Reply Comments on cost studies/models.

October 8, 2004	Rebuttal Comments on cost studies/models.
October 22, 2004	Deadline for motions requesting hearings on cost studies/models and UNE pricing issues contained in filings to date. <sup>1</sup>
November 15, 2004	Ruling on need for hearings on cost studies/modeling and UNE pricing issues.
November 19, 2004	Reply comments on Price Floor Issues.
January 7, 2005	Rebuttal comments on Price Floor Issues.
January 21, 2005	Deadline for motions requesting hearings on Price Floor issues. <sup>2</sup>
February 14, 2005	Ruling on need for hearings on Price Floor issues and submission of case if hearings not required.
May 16, 2005	Proposed Decision Issued (if hearings not required).

**If Hearings Required:**

Date to be determined	Evidentiary Hearings
Date to be determined	Concurrent opening briefs
Date to be determined	Reply briefs and case submitted
Date to be determined	Proposed Decision issued

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<sup>1</sup> Any motions must justify the need for an evidentiary hearing by identifying the material disputed factual issues on which hearing should be held. In addition, any motion should identify the general nature of the evidence the party proposes to introduce at the requested hearing. Any right a party may otherwise have to an evidentiary hearing for the presentation of facts will be waived if the party does not follow the above procedure for a timely request.

<sup>2</sup> Motions should comply with the conditions described in footnote 1 above.

A copy of all filings should be sent electronically to the service list and to ALJ Dorothy Duda at dot@cpuc.ca.gov.

**IT IS RULED** that the schedule for the permanent phase of this proceeding is revised as set forth in this ruling.

Dated July 22, 2004, at San Francisco, California.

/s/ DOROTHY J. DUDA

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Dorothy J. Duda  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have via electronic mail this day served a true copy of the original attached Administrative Law Judge's Ruling Containing Eighth Schedule Revision on all parties of record in this proceeding or their attorneys of record.

Dated July 22, 2004, at San Francisco, California.

/s/ TERESITA C. GALLARDO

Teresita C. Gallardo

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.